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14 UNITED STATES DISTRICT COURT
15
16 NORTHERN DISTRICT OF CALIFORNIA
17
18 SAN FRANCISCO DIVISION

ETHAN ZUCKERMAN,
Plaintiff,
v.
META PLATFORMS, INC.,
Defendant.

Case No. 3:24-CV-02596-JSC

**JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
AMENDED COMPLAINT AND CASE
SCHEDULE**

[Civil L.R. 6-2(a); 7-12]

*[Declaration of Kristin A. Linsley filed
concurrently]*

Judge: Hon. Jacqueline Scott Corley
Courtroom: 8, 19th floor

1 Pursuant to Civil Local Rules 6-2(a) and 7-12, Plaintiff Ethan Zuckerman and Defendant Meta
2 Platforms, Inc. hereby stipulate as follows:

3 WHEREAS, on May 1, 2024, Plaintiff filed the complaint in this action;

4 WHEREAS, on May 1, 2024, the Court issued an order setting initial case management
5 conference and ADR deadlines, including deadlines to file certifications of conflicts and interested
6 entities or persons (upon first appearance); to file an ADR certification (by July 11); to meet and confer
7 pursuant to Federal Rule of Civil Procedure 26(f) (by July 11); to make initial disclosures (by July 25);
8 to file a joint case management statement (by July 25); and to hold an initial case management
9 conference (on August 1) (Dkt. 7) (“Initial Case Management Order”);

10 WHEREAS, on May 1, 2024, Plaintiff filed a certificate of conflicts and interested entities or
11 persons (Dkt. 3);

12 WHEREAS, on May 2, 2024, the complaint was served on Defendant;

13 WHEREAS, on May 23, 2024, Defendant filed a corporate disclosure statement and
14 certification of conflicts and interested entities or persons (Dkt. 24);

15 WHEREAS, on May 23, 2024, the Parties filed a stipulation pursuant to Civil Local Rule 6-1(a)
16 extending Defendant’s deadline to answer or otherwise respond to Plaintiff’s complaint to June 20,
17 2024 (Dkt. 25);

18 WHEREAS, Plaintiff intends to file an amended complaint in this action;

19 WHEREAS, the Parties have conferred and agree that it would be in the interests of judicial
20 efficiency to allow Plaintiff to file an amended complaint and to set a schedule for Defendant’s response
21 to the amended complaint (including any briefing relating to a motion to dismiss, should Defendant
22 respond with a motion to dismiss);

23 WHEREAS, the Parties have satisfied the deadlines for filing certifications of conflicts and
24 interested entities or persons;

25 WHEREAS, the Parties have conferred and agree that it would be in the interests of judicial
26 efficiency to vacate the initial case management conference and postpone the deadlines set in the Initial
27 Case Management Order, other than the deadlines for filing certifications of conflicts and interested

1 entities or persons, until Defendant responds to the amended complaint or, if Defendant responds by
 2 filing a motion to dismiss, until after resolution of Defendant's motion to dismiss;

3 WHEREAS, as required by Local Civil Rule 6-2(a), this stipulated request is supported by the
 4 Declaration of Kristin A. Linsley;

5 THEREFORE, the Parties request, subject to the Court's approval, that Plaintiff be permitted
 6 to file an amended complaint by May 31, 2024, with the following schedule for the response to the
 7 amended complaint:

Deadline	Date
Plaintiff to file amended complaint	May 31, 2024
Defendant to answer or otherwise respond to amended complaint	July 15, 2024
Motion(s) for leave to file amicus brief in support of motion to dismiss*	July 22, 2024
Plaintiff to file opposition to motion to dismiss*	August 29, 2024
Motion(s) for leave to file amicus brief in support of Plaintiff's opposition to motion to dismiss*	September 5, 2024
Defendant to file reply in support of motion to dismiss*	September 23, 2024

16 * *Applicable if Defendant responds to the amended complaint with a motion to dismiss*

18 The Parties further request that, subject to the Court's approval, the initial case management
 19 conference currently scheduled for August 1, 2024 at 1:30 p.m., along with the remaining deadlines in
 20 the Initial Case Management Order (other than the deadlines for filing certifications of conflicts and
 21 interested entities or persons, which the Parties have already satisfied), be vacated pending Plaintiff's
 22 forthcoming amended complaint and Defendant's response thereto. The Parties further agree to file a
 23 joint status report within two weeks after the filing of an answer to the amended complaint or, if a
 24 motion to dismiss is filed, within two weeks after resolution of the motion to dismiss.

25 Nothing in this stipulation is intended to waive any rights that any party may otherwise have,
 26 including the right to oppose and/or respond to any motion for leave to file an amicus brief, and the
 27 right to request further modifications or extensions of deadlines.

1 IT IS SO STIPULATED.

2 DATED: May 29, 2024

GIBSON, DUNN & CRUTCHER LLP

3 By: /s/ Kristin A. Linsley
4 Kristin A. Linsley

5 Attorneys for Defendant Meta Platforms, Inc.

6 DATED: May 29, 2024

7 KNIGHT FIRST AMENDMENT INSTITUTE
AT COLUMBIA UNIVERSITY

8 By: /s/ Ramya Krishnan
9 Ramya Krishnan (*Pro Hac Vice*)

10 Attorneys for Plaintiff Ethan Zuckerman

11 * * *

13 **[PROPOSED] ORDER**

14 PURSUANT TO STIPULATION, IT IS SO ORDERED.

17 DATED: _____

18 _____
19 Hon. Jacqueline Scott Corley
United States District Judge

1 **ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1**

2 Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of the document
3 has been obtained from each of the other signatories to this document.

4 DATED: May 29, 2024

5 */s/ Kristin A. Linsley*

6 Kristin A. Linsley